

Rulemaking Hearing Rules
of
The Tennessee Department of Human Services
Family Assistance Division

Chapter 1240-1-2
Family Assistance Unit
Food Stamp Program

Amendments

Rule 1240-1-2-.02 Household Concept - Food Stamps Only, is amended by deleting Part 5 under Subparagraph (a) Paragraph (1), and by substituting the following language, so that, as amended, Part 5 Paragraph (1), Subparagraph (a) shall read:

5. An individual who is sixty (60) years of age or older (and the spouse of such individual) who lives with others and who is unable to purchase and prepare meals separately because he/she suffers from a disability considered permanent under the Social Security Act or some other non-disease-related severe permanent disability. In order for this individual and spouse to be eligible for separate household status, the combined gross income of all others with whom the individual resides (excluding the individual's and his/her spouse's income) cannot exceed one hundred sixty five percent (165%) of the poverty level as shown in the Table below:

No. of Persons in House- hold	1	2	3	4	5	6	7	8	9	10
165% of Poverty	\$1235	\$1667	\$2099	\$2530	\$2962	\$3394	\$3826	\$4257	\$4689	\$5121

Add \$432 for each additional person

Authority: TCA §§ 4-5-201 et seq.; T.C.A. §§ 71-1-105 and 71-3-158; 7 USC § 2014; and 7 CFR §§ 273.1, 273.1(b)(2), 273.9, and 273.10.

Chapter 1240-1-3
Non-Financial Eligibility Requirements

Amendments

Rule 1240-1-3-. 43 Food Stamp Program Work Requirements, is amended to correct a typographical error, by inserting the word "by" after the word "program" and before the comma, in Part 5 under Subparagraph (b) of Paragraph (5), so that as amended, Paragraph (5), Subparagraph (b), Part 5, with subparts (i) through (iii) shall read:

5. has regained eligibility to participate in the food stamp program by, during a 30-day period:
 - (i) working 80 or more hours;
 - (ii) participating in and complying with the requirements of a work program for 80 or more hours, as determined by the Department; or
 - (iii) participating in and complying with the requirements of any state established work-fare program that may be implemented.

Authority: T.C.A. §§ 4-5-201 et seq.; 71-1-105(12), 71-5-304; 71-3-154(h); 7 USC § 2015(o); and 7 CFR § 273.7.

Chapter 1240-1-4
Financial Eligibility Requirements

Amendments

Rule 1240-1-4-.27 Standard Of Need/Income, is amended by deleting Table I under Paragraph (1) Subparagraph (a) Part 2 in its entirety, and by inserting a new Table I, so that, as amended, Table I shall read:

Table I

No. of Persons in Household	1	2	3	4	5	6	7	8	9	10
Gross Income Standard	\$973	\$1313	\$1654	\$1994	\$2334	\$2674	\$3014	\$3354	\$3695	\$4036

No. of Persons in Household	11	12	13	14	15	16	17	18	19	20
Gross Income Standard	\$4377	\$4718	\$5059	\$5400	\$5741	\$6082	\$6423	\$6764	\$7105	\$7446

For each additional member add \$341

Rule 1240-1-4-.27 Standard Of Need/Income, is amended by deleting Table II under Paragraph (1), Subparagraph (b), Part 2 in its entirety, and by inserting a new Table II, so that, as amended, Table II shall read:

Table II

No. of Persons in Household	1	2	3	4	5	6	7	8	9	10
Maximum Net Income	\$749	\$1010	\$1272	\$1534	\$1795	\$2057	\$2319	\$2580	\$2842	\$3104

No. of Persons in Household	11	12	13	14	15	16	17	18	19	20
Maximum Net Income	\$3366	\$3628	\$3890	\$4152	\$4414	\$4676	\$4938	\$5200	\$5462	\$5724

For each additional member add \$262

Rule 1240-1-4-.27 Standard Of Need/Income, is amended by deleting Table III under Paragraph (1), Subparagraph (c), Part 2 in its entirety, and by inserting a new Table III, so that, as amended, Table III shall read:

Table III

No. of Persons in Household	1	2	3	4	5	6	7	8	9	10
Maximum Coupon Allotment	\$141	\$259	\$371	\$471	\$560	\$672	\$743	\$849	\$955	\$1061

No. of Persons in Household	11	12	13	14	15	16	17	18	19	20
Maximum Coupon Allotment	\$1167	\$1273	\$1379	\$1485	\$1591	\$1697	\$1803	\$1909	\$2015	\$2121

For each additional member add \$106

Rule 1240-1-4.27 Standard Of Need/Income, is amended by deleting Table IV-A and Table IV-B under Paragraph (1), Subparagraph (d) in their entirety, and by inserting a new Table IV-A and Table IV-B, so that, as amended, Table IV-A and Table IV-B shall read:

**Table IV-A
Standard Deduction**

Household Size	1	2	3	4	5	6+
Standard Deduction	134	134	134	134	149	171

**Table IV-B
Food Stamp Deductions**

Maximum Dependent Care for Child Less than 2 Years of Age	\$200
Maximum Dependent Care for Child Over Age 2 or Adult	\$175
Maximum Shelter Deduction for Non-Elderly/Disabled Households	\$378
Maximum Shelter Deduction for Elderly/ Disabled Households	No Maximum

Authority: TCA §§ 4-5-201 et seq.; 71-1-105 and 71-3-158; 7 USC § 2014; 7 CFR § 273.9 and 7 CFR § 273.10.


Legal Contact or Party who will approve final copy:

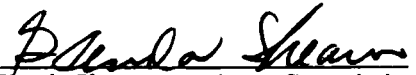
Phyllis A. Simpson
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Contact for disk acquisition:

Darryl F. Wells
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Signature of the agency officer or officers directly responsible for proposing and/or drafting these rules:

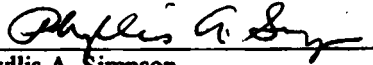

 Richard Dobbs, Director, Food Stamp Policy
 Adult and Family Services
 Tennessee Department of Human Services


 Glenda Shearon, Assistant Commissioner
 Adult and Family Services
 Tennessee Department of Human Services

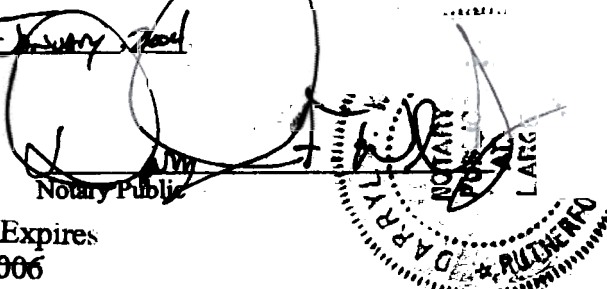

 Virginia T. Lodge, Commissioner
 Tennessee Department of Human Services

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the Department of Human Services on the 12th day of January, 2004.

Further, I certify that the provisions of T.C.A. § 4-5-222 have been fully complied with, that these rules are properly presented for filing, a notice of rulemaking hearing was filed in the Department of State on the 31st day of October, 2003 and such notice of rulemaking hearing having been published in the November 14, 2003 issue of the Tennessee Administrative Register, and such rulemaking hearing having been conducted pursuant thereto on the 16th day of December, 2003.

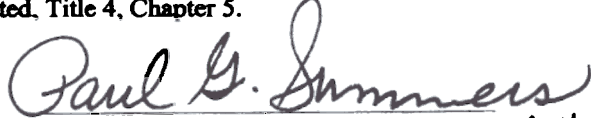

 Phyllis A. Simpson
 Assistant General Counsel
 Tennessee Department of Human Services

Subscribed and sworn to before me this the 12th day of January, 2004.


 Notary Public

My commission expires on the ___ day of August 20, 2006

All rulemaking hearing rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

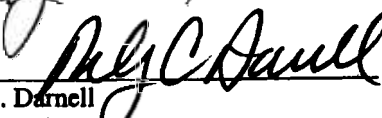

 Paul G. Summers
 Attorney General and Reporter

The rulemaking hearing rules set out herein were properly filed in the Department of State on the 27 day of February, 2004 and will become effective on the 12 day of May, 2004.

SECRETARY OF STATE
 PUBLICATIONS

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 Riley C. Darnell
 Secretary of State

By: 